

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

JUDITH A. WAGNER, Chapter 11 Trustee of the
bankruptcy estate of the Vaughan Company, Realtors,

Plaintiff,

v.

Master Case No. 12-CV-00817-WJ/SMV
(Case No. 12-CV-220-WJ/SMV)

ANDY FELD and JULIE FELD,

Defendants

**STIPULATED ORDER (I) EXTENDING DEADLINE FOR DEFENDANTS TO
RESPOND TO PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS,
INTERROGATORIES, AND REQUESTS FOR PRODUCTION, (II) EXTENDING
DEADLINE FOR PLAINTIFF TO DEPOSE NON-EXPERT WITNESSES, AND
(III) CONSENTING TO THE PLAINTIFF'S TAKING A SECOND DEPOSITION
OF STEVEN ETKIND IN THIS PROCEEDING.**

This matter came before the Court upon the stipulation of the parties hereto, as evidenced by the approval of counsel for the parties below. The Court, being sufficiently informed, hereby FINDS:

A. On November 14, 2012, the Court entered the *Scheduling Order* for this case (Docket No. 120);

B. In the Scheduling Order, the Court set, *inter alia*, certain discovery deadlines, including a May 31, 2013 deadline for completion of all discovery except for expert reports and expert depositions;

C. On March 15, 2013, the Plaintiff served the Defendants with her First Request for Admissions, Interrogatories, and Request for Production (the “**Discovery Request**”);

D. On May 1, 2013, the Plaintiff served the Defendants with her Notice to Take Deposition of Steven Etkind, to be taken at the offices of the counsel for the Plaintiff on May 15, 2013. Mr. Etkind is being deposed as a third-party witness in a total of five proceedings that day;

E. On May 14, 2013 counsel for Defendants contacted Counsel for the Plaintiff to request an extension until May 24, 2013 to respond to the Discovery Requests;

F. The Plaintiff agrees to the requested extension provided that (i) the deadline for “completion of all discovery except expert reports and expert depositions” is also extended for the sole purpose of allowing Plaintiff to conduct depositions of Defendants and Steven Etkind, and (ii) Defendants consent to the Plaintiff conducting a second deposition of Steven Etkind in this proceeding should the Plaintiff choose to do so; and

G. Good cause exists for entry of this Order and no just reasons exist to delay entry hereof.

IT IS ORDERED:

1. Defendants shall have through and until June 17, 2013, to respond to the Plaintiff’s Discovery Requests.

2. The deadline for “completion of all discovery except expert reports and expert depositions” is extended through and until June 30, 2013, for the sole purpose of allowing Plaintiff to conduct depositions of Defendants and Steven Etkind.

3. Defendants will not object to the Plaintiff’s taking a second deposition of Steven Etkind in this matter should the Plaintiff choose to do so.

4. All other deadlines set forth in the Scheduling Order not explicitly extended herein, shall remain in full force and effect.



HONORABLE STEPHAN M. VIDMAR
UNITED STATES MAGISTRATE JUDGE

Submitted by:

ASKEW & MAZEL, LLC

By: Submitted on 5/29/13

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